

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 1999-277-T - ORDER NO. 2000-654

AUGUST 15, 2000

IN RE: Application of David K. Dobbins DBA	)	ORDER
Movers Express, 3008 Little Creek Drive,	)	GRANTING
Anderson, SC 29621, for a Class E Certificate	)	CERTIFICATE
of Public Convenience and Necessity.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of David K. Dobbins DBA Movers Express (Dobbins or the Company), 3008 Little Creek Drive, Anderson, SC 29621 for a Class E Certificate of Public Convenience and Necessity to transport commodities as follows:

Household Goods, As Defined in R. 103-210(1):  
Between points and places in Anderson and Oconee Counties, SC

The Commission's Executive Director instructed Dobbins to publish a Notice of Filing in a newspaper of general circulation in the service area desired. The Notice of Filing instructed the public as to how to file pleadings to participate in the proceedings on the Application. A Petition to Intervene was received from Dale J. Cook Moving & Storage, Inc.

A hearing on the Application was scheduled for July 12, 2000 at 2:30 PM in the offices of the Commission, with the Honorable William T. Saunders, Chairman, presiding. David K. Dobbins and Meredith Dobbins appeared as witnesses for the Company. The Intervenor did not appear. F. David Butler, General Counsel, appeared for the Commission Staff. The Staff presented no witnesses.

Meredith Dobbins, the wife of the Applicant David Dobbins, testified that her husband has done office moves, both on short and long notice, said moves being unregulated by this Commission. She stated that there is a high demand for movers, especially for small moves, in Anderson and Oconee Counties, and she relates this knowledge as a manager of an apartment complex in the general area. Mrs. Dobbins noted that she and her husband have a 30-day basis contract for a moving vehicle. Mrs. Dobbins notes that she is her husband's business and office manager. She stated that she has had 20 calls in a week demanding moves.

David Dobbins testified that he has some 41/2 years of moving experience, having worked for Sanders Moving and Mayflower Moving. For a portion of this time, he acted as crew chief. He stated that he believes he has the experience to handle residential moves for compensation in the Anderson and Oconee areas.

S.C. Code Ann. Section 58-23-590(C) (Supp. 1999) states that the Commission shall issue a common carrier certificate of public convenience and necessity if the applicant proves to the Commission that: (1) it is fit, willing, and able to properly perform the proposed service and comply with the provisions of this chapter and the Commission's regulations and (2) the proposed service, to the extent to be authorized by the certificate or permit, is required by the present public convenience and necessity.

Upon consideration of this matter, we find that the Company has demonstrated that it is fit, willing, and able to perform the services sought by its Application. The testimony of both Mr. and Mrs. Dobbins reveals that the Company is fit, willing, and able under the standards contained in 26 S.C. Regs. 103-133. Further, we find that the testimony of both Mr. and Mrs. Dobbins indicate that the proposed service is required by the present public convenience and necessity. (The shipper witness portion of the regulation is waived, since authority is requested in

less than three contiguous counties. See Order Nos. 1999-654 and 2000-024 for a further explanation of circumstances wherein waiver of the “shipper witness” rule is appropriate.)

Based upon the record before the Commission and the statutory requirements along with the guidelines contained in the Commission’s regulations, we find sufficient evidence to grant the amended application and therefore grant authority to David K. Dobbins DBA Movers Express a Class E Certificate of Public Convenience and Necessity for the movement of household goods as follows:

Household Goods, As defined in R. 103-210(1):  
Between points and places in Anderson and Oconee Counties, SC.

This grant of authority is contingent upon compliance with all Commission regulations as outlined below.

IT IS THEREFORE ORDERED THAT:

1. The application of David K. Dobbins DBA Movers Express for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved for authority to transport household goods between points and places in Anderson and Oconee Counties in South Carolina.
2. The Applicant file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 103-100 through R. 103-241 of the Commission’s Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R. 38-400 through 38-503 of the Department of Public Safety’s Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended within sixty (60)

days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. Upon compliance with S.C. Code Ann. Section 58-23-10, et seq (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.

4. Prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein may not be provided.

5. This Order shall remain in full force and effect until further Order of the Commission.

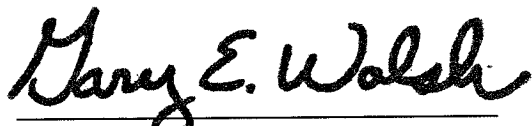
BY ORDER OF THE COMMISSION:



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Chairman

ATTEST:



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Executive Director